

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-4, 7, 8 and 10-22 are pending. Claims 5-6, 9, and 23-24 have been canceled without prejudice and disclaimer of subject matter. Claims 1, 14, 15, and 17-22 are amended in this paper. Support for this amendment is provided throughout the Specification as originally filed, specifically at paragraph [0148].

No new matter has been introduced. Changes to claims are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. SUPPORT FOR THIS AMENDMENT**

Citations to Figures and Specification locations are provided. However, such citations are provided merely as examples and are not intended to limit the interpretation of the claims or to evidence or create any estoppel.

As an example, support of the amendment can be found at paragraph [0148] of the Specification, which is reproduced as follows:

[0148] The superposing area deciding section 325 decides an object for superposing a final advertisement image data on the basis of the information of the detection result of the object input from the candidate object detecting section 324 and the information that is preferable for the superposing of the

advertisement image data and is input from the control section 340 .  
The information of the objects that are possible to be superposed  
and are beforehand set at every selling goods and the information  
of the order of priority of the objects are input into the superposing  
area deciding section 325 from the control section 340 .  
Accordingly, the superposing area deciding section 325 checks  
whether or not any object possible to be superposed is detected by  
the candidate object detecting section 324 in sequence from the  
higher order of priority, and decides the object that is detected as  
the object being the superposed object. (Emphasis Added)

### III. REJECTIONS UNDER 35 U.S.C. §112 AND §103(a)

Claims 1-4, 7, 8, and 10-22 were rejected under 35 U.S.C. §112, second  
paragraph, as allegedly being indefinite.

Claims 1-4, 7, 8, 12-19, and 22 were rejected under 35 U.S.C. §103(a) over  
Publication No. WO/98/28908 to Crampton et al. (hereinafter, merely “Crampton”) and in view  
of U.S. Patent No. 5,850,222 to Cone et al. (hereinafter, merely “Cone”) and further in view of  
U.S. Patent No. 6,026,079 to Perlman (hereinafter, merely “Perlman”).

Claims 10, 11, 20, and 21 were rejected under 35 U.S.C. §103(a) over Crampton  
in view of Cone and further in view of Perlman and further in view of “ValuePay.Com-Get Paid  
to Use piggy!, A Unique Internet Service Launched” (hereinafter, merely “Piggy”).

### IV. RESPONSE TO REJECTIONS

#### A. Response to Rejections under 35 U.S.C. §112

Claims 1-4, 7, 8, and 10-22 are amended, thereby obviating the rejections.

B. Rejections under 35 U.S.C. §103(a)

Independent claim 1 recites, *inter alia*:

**...wherein, for every selling product, the database includes information of objects that are possible to be superimposed and an order of priority for the objects to be selected for a superimposing purpose.** (emphasis added)

Applicants respectfully submit that Crampton, Cone, Perlman, and Piggy, taken either alone or in combination, fail to disclose or render predictable the above-identified features of claim 1. Specifically, nothing is found that discloses or render predictable “**wherein, for every selling product, the database includes information of objects that are possible to be superimposed and an order of priority for the objects to be selected for a superimposing purpose,**” as recited in claim 1.

Therefore, for at least the above discussed reasons, claim 1 is patentable.

As claim 14 is similar, or somewhat similar, in scope to claim 1, claim 14 is patentable for similar, or somewhat similar, reasons.

As nothing in the references cited in the Office Action cures the above-identified deficiencies, Applicants respectfully request reconsideration and withdrawal of the rejections.

V. **DEPENDENT CLAIMS**

As the other claims are each dependent from one of the independent claims discussed above, they are also patentable for at least the same reasons. As nothing in the references cited in the Office Action cures the above-identified deficiencies, Applicants respectfully request reconsideration and withdrawal of the rejections. As each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.


### CONCLUSION

Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, and these reasons are fully responsive to every ground of objection and rejection in the prior Office Action and presents arguments pointing out the specific distinctions believed to render the claims patentable over any applied references. See 37 CFR 1.111(b). Thus in the interests of brevity and compact prosecution, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments, as well as the right to present arguments related thereto.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,  
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